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Attorneys for Defendants
DAVID GILBERT SAFFRON and
CIRCLE SOCIETY, CORP.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

DAVID GILBERT SAFFRON, a/k/a DAVID
GILBERT, and CIRCLE SOCIETY, CORP.,

Defendants,

Case Number 2:19-cv-1697-JAD-DJA

**NOTICE OF DEFENDANTS'
RESPONSE REGARDING PLAINTIFF'S
LETTER TO THE COURT DATED
JANUARY 4, 2021 (ECF No. 93)**

Pursuant to Local Rule IA 7-1(b), the law firm of Gutke Law Group, PLLC, ("GLG") files this Notice of Defendants' Response Regarding Plaintiff's Letter to the Court Dated January 4, 2021 (ECF No. 93, "January 4 Letter") on behalf of Defendants David Gilbert Saffron ("Saffron") and Circle Society, Corp. ("Circle Society," and together with Saffron, "Defendants").

In the January 4 Letter, counsel for the Commodity Futures Trading Commission ("CFTC") inquires as to the status of its Motion for Default Judgment Against Defendants (ECF No. 61) and its Motion for Sanctions in Furtherance of Defendants' Non-Compliance with Civil Contempt Order (ECF No. 62) (together, the "Motions").

1 On November 13, 2020, the Court issued an Order allowing Defendants'
 2 previous counsel to withdraw from this case, and further ordered that Defendants were
 3 required to advise the Court whether they were retaining new counsel by December 13,
 4 2020. See ECF No. 85. In compliance with that Order, on December 13, 2020, GLG filed
 5 its notice of appearance on behalf of the Defendants in this matter. See ECF No. 89.

6 Given that GLG only recently entered its appearance as Defendants' counsel in
 7 this case—a case that has been active for well over one year—Defendants and GLG
 8 respectfully request that the Court allow at least sixty (60) days prior to making any
 9 determinations on the Motions the CFTC inquiries about in its January 4 Letter. Such
 10 sixty-day period will allow GLG to work with the Defendants to address the CFTC's
 11 various document requests and other pending issues from the prior Motions, will allow
 12 GLG to fully review the extensive docket in this matter in order to submit any motions,
 13 pleadings, responses, or other filings as may be deemed appropriate given the case's
 14 procedural history, and will allow GLG to work with the CFTC's counsel, if possible, to
 15 resolve issues pending herein and attempt to move this matter forward efficiently and
 16 fairly now that Defendants are represented by counsel.

17 The Defendants and GLG sincerely appreciate this Court's consideration of their
 18 requests herein.

19 Dated: January 5, 2021.

20 **GUTKE LAW GROUP, PLLC**

21 /s/ John H. Gutke

22 JOHN H. GUTKE, ESQ.

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25 Las Vegas, Nevada 89104

26 Attorneys for Defendants

27 DAVID GILBERT SAFFRON and

28 CIRCLE SOCIETY, CORP.

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of January 2021, the foregoing *Notice of Defendants' Response Regarding Plaintiff's Letter to the Court Dated January 4, 2021 (ECF No. 93)* was electronically served on all persons registered to receive electronic service in this matter, including counsel listed below, by filing this document with the Clerk of Court using the CM/ECF system.

Danielle E. Karst
Timothy J. Mulreany
Commodities Futures Trading Commission
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/s/ John Gutke

An employee of Gutke Law Group

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